

ZB# 08-20

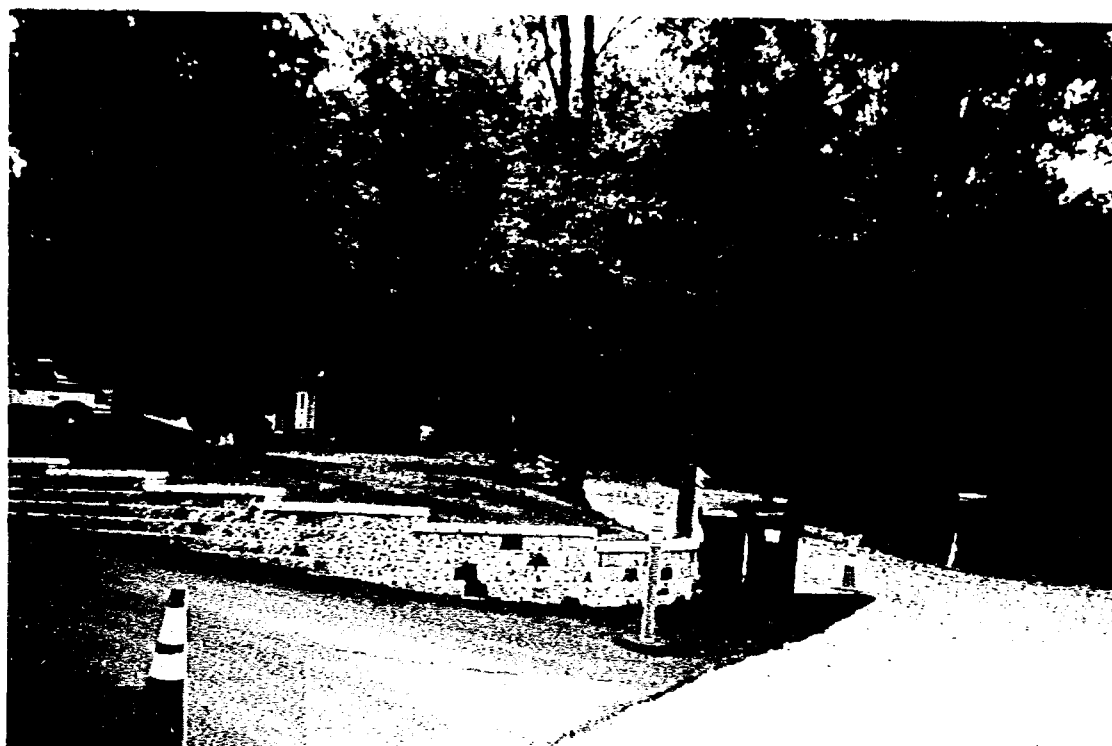
George Hawkins

55-1-59.1

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

August 25, 2008

08-20 George Hawkins (Area)
9 Feitsma Ln. (55-1-59.1)





NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 55-1-59.1

-----X
In the Matter of the Application of

GEORGE HAWKINS

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #08-20
-----X

WHEREAS, George Hawkins, owner(s) of 9 Feitsma Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an request to allow proposed detached garage closer to the road than the principal building and; a variance of 5 ft. Maximum Building Height to permit a 20 ft. building at 9 Feitsma Lane in an R-1 Zone (55-1-59.1)

WHEREAS, a public hearing was held on August 25, 2008 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant and his appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS no one spoke opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties where the proposed use is allowed in an R-1 zone.
 - (b) In irrecting the proposed garage the applicant will not be cutting down any trees or removing any substaintial vegetation.
 - (c) The proposed garage will not create the ponding or collection of water or dervert the flow of water drainage.

- (d) The proposed garage will not be on top of nor interfere with any esments including, but not limited to, water, sewer, or electric.
- (e) If the proposed garage were located behind the house it would be nesscessary for the applicant to remove trees and substainial vegetation.
- (f) The terpocfady of the lot makes located of the proposed garage in any place other than the proposed location inpractical.
- (g) The prosed garage will be approximatly 30ft. from the roadway adjacent to the premissise.
- (h) The proposed garage will not interfere with the safe operation of motor vehicles on the adjacent roadway.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

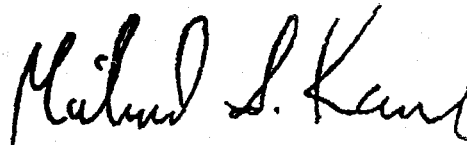
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request to allow proposed detached garage closer to the road than the principal building and; a variance of 5 ft. Maximum Building Height to permit a 20 ft. building at 9 Feitsma Lane in an R-1 Zone (55-1-59.1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 25, 2008

A handwritten signature in black ink, appearing to read "Michael S. Kaur". The signature is written in a cursive style with a horizontal line underneath it.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 01-21-09
SUBJECT: ESCROW REFUND 08-20

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 148.56 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #08-20

NAME & ADDRESS:

**George Hawkins
P.O. Box 76
Washingtonville, NY 10992**

THANK YOU,

MYRA

JF.01-21-09



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #08-20 TYPE:AREA TELEPHONE: 496-3494

APPLICANT:

George Hawkins

P.O. Box 76

Washingtonville, NY 10992

RESIDENTIAL:	\$ 50.00	CHECK #1643
COMMERCIAL	\$ 150.00	CHECK #_____
INTERPRETATION	\$ 150.00	CHECK #_____

ESCROW: RESIDENTIAL \$300.00 CHECK #1644



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	4	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	6	PAGES	\$ <u>42.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: \$ 11.44

TOTAL: \$ 81.44 \$ 70.00



ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 151.44

AMOUNT DUE: \$ _____

REFUND DUE: \$ 148.56

Cc:

J.F. 01-21-09

July 14, 2008

3

PRELIMINARY MEETINGS

GEORGE HAWKINS (08-20)

MS. LOCEY: First hearing is George Hawkins. This application is a request to allow proposed detached garage closer to the road than a principal building and a request for a variance of five feet maximum building height to permit a 20 foot building at 9 Feitsma Lane.

Mr. George Hawkins appeared before the board for this proposal.

MS. LOCEY: Why don't you tell us in your words exactly what it is you're looking for.

MR. HAWKINS: Basically, it's, there's a pre-existing driveway, this is a second driveway, I'm looking to put in approximately a 28 x 28 foot two car garage.

MS. LOCEY: Okay, and the zoning board requires that any accessory buildings be further back than the principal building, in this case your house.

MR. HAWKINS: That's why I need a variance because it's closer to the road than the primary residence.

MS. LOCEY: Could you explain to the board why there's not a location on your property where you could fit your garage and comply with the existing zoning?

MR. HAWKINS: Basically, it's the way the road is cut, it would move the garage closer, the garage would be roughly 25, 30 feet off the road and to put it any further back on the property would be really difficult and pretty costly. It's like I said the driveway there's a pre-existing driveway already there and off that driveway, move it back about another 20 feet so that I can make a turn into where the garage would go.

July 14, 2008

4

MS. LOCEY: How long is the driveway? Is it quite a distance off the road?

MR. HAWKINS: The driveway is probably roughly 25 feet, maybe 30 feet at the most.

MS. LOCEY: And you feel that it aesthetically would not fit together to put it somewhere else?

MR. HAWKINS: Oh, yeah, it would be basically buried back in the woods. I'm at the end of a dead-end road.

MR. KRIEGER: Where you'd have to put it to comply with the zoning you'd have to remove trees and substantial vegetation to erect it if you were to put it that far back?

MR. HAWKINS: If I put it that far back it's basically in a low lying wet area and I'd have to remove trees. Right now the trees are already cleared out of there and removed so--

MS. LOCEY: So there would be no cutting down of any substantial type of vegetation?

MR. HAWKINS: Just two small trees.

MR. KRIEGER: Not where it's proposed.

MR. HAWKINS: Where it's proposed you can see in the pictures this little tree would have to come out but to put it back any further would put it right in the middle of the woods and substantial amount of excavation would have to be done plus like I say it's a low lying area and it's wet in there.

MS. LOCEY: Would construction of this detached garage cause any water problems, drainage problems?

MR. HAWKINS: No.

July 14, 2008

5

MS. LOCEY: Are there any easements on your property where you're proposing to construct the garage?

MR. HAWKINS: Easements meaning?

MR. KRIEGER: Easements, permission by somebody else to use your property.

MR. HAWKINS: There's an easement and let me show you here.

MS. LOCEY: Whose easement is it?

MR. HAWKINS: To be honest with you, we can't find it, the garage is going to sit back in here, this is lower about 2 1/2 cars wide lower driveway where I park my trailer and plow truck, above this is power lines, it's roughly 10 feet off the property line, it can be reached from the road.

MR. TORPEY: You're not over it?

MR. HAWKINS: It's maybe back passed that.

MS. LOCEY: That's all we need to know.

MR. HAWKINS: Yet when I call the utility companies they don't have anything on record.

MR. TORPEY: You're not going under it.

MR. HAWKINS: Absolutely not.

MR. KRIEGER: It wouldn't interfere.

MR. HAWKINS: No.

MS. LOCEY: Would the placement of the two car garage where you have proposed it obstruct the sight vision as

July 14, 2008

6

cars pass your driveway or for you exiting or entering?

MR. HAWKINS: No, like I say, I'm at the end of a dead-end road.

MS. LOCEY: Are there any other comments or questions from the board? Did I miss anything?

MR. KRIEGER: No.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for request from George Hawkins for a garage closer to the road than is required.

MS. LOCEY: Than the principal building is.

MR. TORPEY: I'll second that.

ROLL CALL

MR. DITTBRENNER	AYE
MR. TORPEY	AYE
MR. BEDETTI	AYE
MS. LOCEY	AYE

MS. LOCEY: Our next regularly scheduled meeting in two weeks is July the 28th has been canceled so your public hearing would have to be sometime after that.

MR. HAWKINS: Okay, thank you.

August 25, 2008

13

PUBLIC HEARINGS:

GEORGE HAWKINS (08-20)

MR. KANE: Public hearings, George Hawkins request to allow proposed detached garage closer to the road than the principal building and a variance of a 5 foot maximum building height to permit a 20 foot building at 9 Feitsma Lane in an R-1 zone.

Mr. George Hawkins appeared before the board for this proposal.

MR. KANE: Is there anybody in the audience for this particular hearing? State your name and address same as the preliminary, tell us what you want to do, speak loudly enough for that young lady to hear you.

MR. HAWKINS: My name is George Hawkins, 9 Feitsma Lane, Rock Tavern and I'm petitioning the zoning board to build a garage that's closer to the road than my home with the 20 foot height. I need an additional five foot variance for the height.

MR. KANE: Cutting down any trees, substantial vegetation in the building of the garage?

MR. HAWKINS: No.

MR. KANE: Creating any water hazards or runoffs?

MR. HAWKINS: No.

MR. KANE: Any easements going through the area where you intend to build?

MR. HAWKINS: No.

MR. KRIEGER: If you were to locate the garage behind the house you would have to cut down trees and

August 25, 2008

14

vegetation, is that correct?

MR. HAWKINS: Excuse me?

MR. KRIEGER: If you were to locate the garage behind the house you would have to cut down some trees and vegetation?

MR. HAWKINS: Well, it's not practical to put it behind the house but where I'm locating it the area's already been cleared, there's an existing driveway there.

MR. KANE: The point is where you're putting it there's less.

MR. HAWKINS: Yes, located further back so that it would be behind the house, I'd have to clear the whole section of the property.

MR. KANE: The intended garage that you have can you see that from the road?

MR. HAWKINS: Yes.

MR. KANE: How far off the road will it be?

MR. HAWKINS: Approximately, 30 feet.

MR. KANE: Won't hinder any visual aspects from driving down the road?

MR. HAWKINS: No, the property's located at the end of a dead-end road.

MR. TORPEY: Where did you hide the house?

MS. LOCEY: We can't find the house on the pictures.

MR. HAWKINS: House is over here, my primary driveway would be right up alongside of this and the house sits

August 25, 2008

15

back here.

MR. KANE: Reason for the excess height?

MR. HAWKINS: Just type of garage that I'm looking to build.

MR. KANE: At this point, I will open it up to the public and I'll ask one more time if there's anybody here for this particular hearing. Seeing as there's not, we'll close the public portion of the meeting and ask Myra how many mailings we had?

MS. MASON: On the 12th day of August, I mailed out 17 addressed envelopes and had no response.

MR. KANE: Bring it back to the board and ask the board if they have any questions?

MR. BEDETTI: I have a question, Feitsma, is that a private road?

MR. HAWKINS: It's a private road.

MR. BABCOCK: That's correct.

MR. BEDETTI: Do you have any intention for the town to take that road over?

MR. HAWKINS: I hope so but no.

MR. BABCOCK: No.

MR. BEDETTI: The reason I'm asking it's really not very far off Feitsma the 25 feet, what do you have 25 feet off the road?

MR. HAWKINS: Approximately.

MR. BEDETTI: Off the existing road and certainly that

road did not appear to be certainly it's for town code for a road if the town were to go in and take the road by the time they get up to your house it would be wider than the existing road, whether that 25 feet that you're talking about is sufficient with a wider road in there.

MR. HAWKINS: Well, to my understanding that in order for the town to take over the road we'd need a turnaround at the end of the road and I guess it was, the town was approached years ago and apparently people at the end of the road did not want to give up the property to do that, therefore, I guess when the town took over all the private roads that road was not taken over.

MR. BABCOCK: Just for clarification, the private road, the easement for the private road is 30 feet. The town's requirements would be 50 feet so if for some reason they got the turnaround the town would have to take 10 feet of this guy's property, 10 feet of the neighbors which would then put his garage still 15 feet from the right-of-way, the pavement edge is still at least 10 to 12 feet from that so he would still maintain probably 20 to 25 feet from a pavement edge, private road or small road like that probably wouldn't be your 30 foot wide road.

MS. LOCEY: To the best of everyone's knowledge, there are no plans at this point for the town to take over this road?

MR. HAWKINS: I would forego the garage for the road to be taken over by the town cause I'm the only one who maintains it.

MR. BEDETTI: I drove up that road and took a look at the site, this site there and certainly when you get up, when it gets very narrow up there and I said if this is going to become a public road sometime I wasn't

exactly sure how far off the road you were going to be.

MR. BABCOCK: The only way the town would take it is if there was a turnaround and the people that live there built the road, we're not going to build the road for them and there's some conditions with drainage and swales and curbs and whatever else they might need. If there's property in the back and I don't have a tax map well I guess there's no, there's no property.

MR. HAWKINS: The property at the back end of the road is mine, I go back another acre and a half there, it's just like I said there's no way, I can't get the people on the road to blacktop much less bring it up to code. So I think it's going to be a private road for a long time.

MR. KANE: Any further questions? I'll accept a motion.

MS. LOCEY: Did we have any mailings?

MR. KANE: Seventeen, no response.

MR. BEDETTI: I'll make a motion that we grant George Hawkins a variance for his principal building height variance of 5 feet for 9 Feitsma Lane for detached garage closer to the road than the principal building.

MR. TORPEY: I'll second that.

MS. LOCEY: Point of order also the additional 5 foot building height.

MR. BABCOCK: That's correct.

MR. KANE: Roll call.

ROLL CALL

August 25, 2008

18

MR. DITTBRENNER	AYE
MR. BEDETTI	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF:

August 2008PROJECT: George HawkinsZBA # 08-20

P.B.# _____



USE VARIANCE:

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

☐ ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒
VARIANCE APPROVED: M) B S) I VOTE: A 5 N 0.DITTBRENNER ABEDETTI ALOCEY ATORPEY AKANE ACARRIED: Y ☒ N _____.AGENDA DATE: August 25, 2008

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

GEORGE HAWKINS

#08-20

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 12TH day of AUGUST, 2008, I compared the (17) addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

25th day of August, 2008

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires July 15, 2011

Diana Green
Notary Public

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

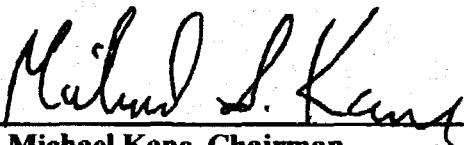
Appeal No. (08-20)

Request of GEORGE HAWKINS

for a VARIANCE of the Zoning Local Law to Permit:

Request to allow proposed detached garage closer to the road than the principal building and; a variance of 5 ft. Maximum Building Height to permit a 20 ft. building at 9 Feitsma Lane in an R-1 Zone (55-1-59.1)

PUBLIC HEARING will take place on AUGUST 25TH, 2008
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-3101

Assessors Office

J. Todd Wiley, Assessor

July 17, 2008

George Hawkins
P.O. Box 76
Washingtonville, NY 10992

Re: Tax Map Parcel 55-1-59.1

ZBA # 08-20 (17)

Dear Mr. Hawkins,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley (BN)

J. Todd Wiley, IAO
Sole Assessor

JTW/bw
Attachments

CC: Myra Mason, ZBA

55-1-43.22
Robert Minard
P.O. Box 326
Clintondale, NY 12515

55-1-44.3 & 55-1-44.4
New Windsor Farm, LLC
14 Catherine Ct.
Chester, NY 10918

55-1-45.1
Alfred & Maryann Meola
P.O. Box 31
Rock Tavern, NY 12575

55-1-45.21
Christopher & Gloria Whitford
P.O. Box 125
Rock Tavern, NY 12575

55-1-45.221 & 55-1-45.223
Edward & Amy Surdyka
8 Feitsma Lane
Rock Tavern, NY 12575

55-1-45.222
Leslie & Michael Steup
10 Feitsma Lane
Rock Tavern, NY 12575

55-1-45.23
Gilbert & Catherine Lester
12 Feitsma Lane
Rock Tavern, NY 12575

55-1-46
Marilyn Deleon
6 Feitsma Lane
Rock Tavern, NY 12575

55-1-49
John & Nancy Duddy
5 Feitsma Lane
Rock Tavern, NY 12575

55-1-50
Daniel & Joan Timoldi
39 Shaw Rd
Rock Tavern, NY 12575

55-1-51 & 55-1-52
Charles & Alice Maehrlein
29 Shaw Rd
Rock Tavern, NY 12575

55-1-53.22
Marie Wahlbon
F/K/A Marie Sharpe
281 Bull Rd
Washingtonville, NY 10992

55-1-56
Paul Ferrari & Susan Grannico
255 Bull Rd
Washingtonville, NY 10992

55-1-57
William & Faith Pasquale
245 Bull Rd
Washingtonville, NY 10992

55-1-58
Wendall Harrington
235 Bull Rd
Washingtonville, NY 10992

55-1-59.2
Michael & Barbara Kassa
7 Feitsma Lane
Rock Tavern, NY 12575

56-1-40
Robert & Sylvia Mangold
155 Bull Rd
Washingtonville, NY 10992

1644

ZBA # 08-20

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#372-2008

07/15/2008

Hawkins, George

Received \$ 50.00 for Zoning Board Fees, on 07/15/2008. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

● TOWN OF NEW WINDSOR ●
REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 07-15-08 MM

DATE: 07-15-08 PROJECT NUMBER: ZBA# 08-20 P.B. # _____

APPLICANT NAME: GEORGE HAWKINS

PERSON TO NOTIFY TO PICK UP LIST:

GEORGE HAWKINS
P.O. BOX 76
WASHINGTONVILLE, NY 10992

TELEPHONE: 496-3494

TAX MAP NUMBER: SEC. 55 BLOCK 1 LOT 59.1
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: _____

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1645

TOTAL CHARGES: _____

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 5/29/08

APPLICANT: George & Diane Hawkins
9 Feitsma Lane
Washingtonville, NY 10992

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : George Hawkins

LOCATED AT: 9 Feitsma Lane

ZONE: R-1 Sec/Blk/ Lot: 55-1-59.1

DESCRIPTION OF EXISTING SITE: Single family dwelling with proposed detached garage

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-11A Accessory Buildings. A variance to permit a detached garage closer to the road than the principal building and a variance to permit a 20ft building height.

COPY

Louis J. Kahan
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1 USE: Detached garage

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT: 15ft

20ft

5ft

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

6/9/08 Sent Applicant.

6/17/08 Re-Sent

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Low

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

MAY 27 2008

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$60.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number and Tax Parcel ID #, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Water and Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percol test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 2008-352

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP. DISABILITY & LIABILITY INSURANCE
CERTIFICATES ARE REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR
ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises GEORGE HAWKINS, DIANE CLARK

Address 9 FEITSMAN LANE Phone # 845-496-3494

Mailing Address P.O. Box 76 WASHINGTONVILLE N.Y. 10992 Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of FEITSMA LANE
(N,S,E or W) and 1700' feet from the intersection of FEITSMA LANE + SHAW
2. Zone or use district in which premises are situated RESIDENTIAL is property a flood zone? Y N ✓
3. Tax Map Description: Section 55 Block 1 Lot 59.1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy RESIDENCE b. Intended use and occupancy GARAGE
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? No
7. Dimensions of entire new construction. Front 28' Rear 28' Depth 28' Height 20 No. of stories 1
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor N/A
Number of bedrooms N/A Baths N/A Toilets N/A Heating Plant: Gas N/A Oil N/A
Electric/Hot Air N/A Hot Water N/A If Garage, number of cars Two
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost \$20,000

Fee

\$50.00
CASH

ZONING BOARD

PAID

ZONING BOARD

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4696 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

W

E

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RECEIVED 1964 JUN 10 10 10 AM

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 17, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT HAVING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. EASEMENTS OR RIGHT-OF-WAYS ON, OR UNDER THE LAND, AND NOT VISIBLE, ARE NOT SHOWN.

RECEIVED

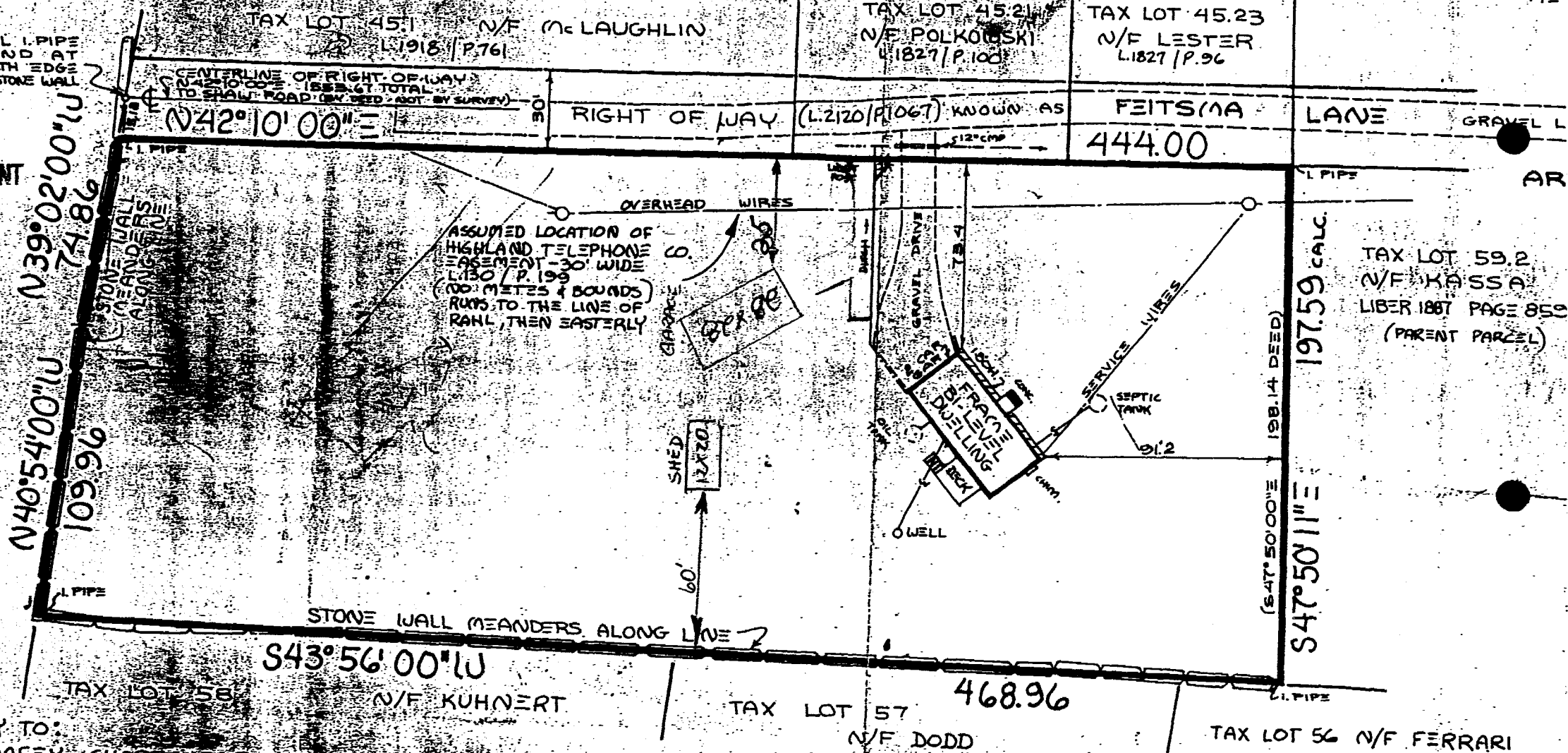
MAY 27 2008

BUILDING DEPARTMENT

TAX LOT 1422
BLOCK 1
SECTION 56

N/F RAHL
WEATHERALL
FARM

CERTIFIED ONLY TO:
RAYMOND K. NAFEE, CHARLENE J. NAFEE
EMPIRE OF AMERICA BANK, US LIFE FIRE
INSURANCE COMPANY OF NEW YORK
THAT THIS SURVEY HAS BEEN PREPARED IN



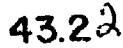
11408 05
2008/11/20 7:30:00 PM

**PREVIOUS
DOCUMENT
IN POOR
ORIGINAL
CONDITION**

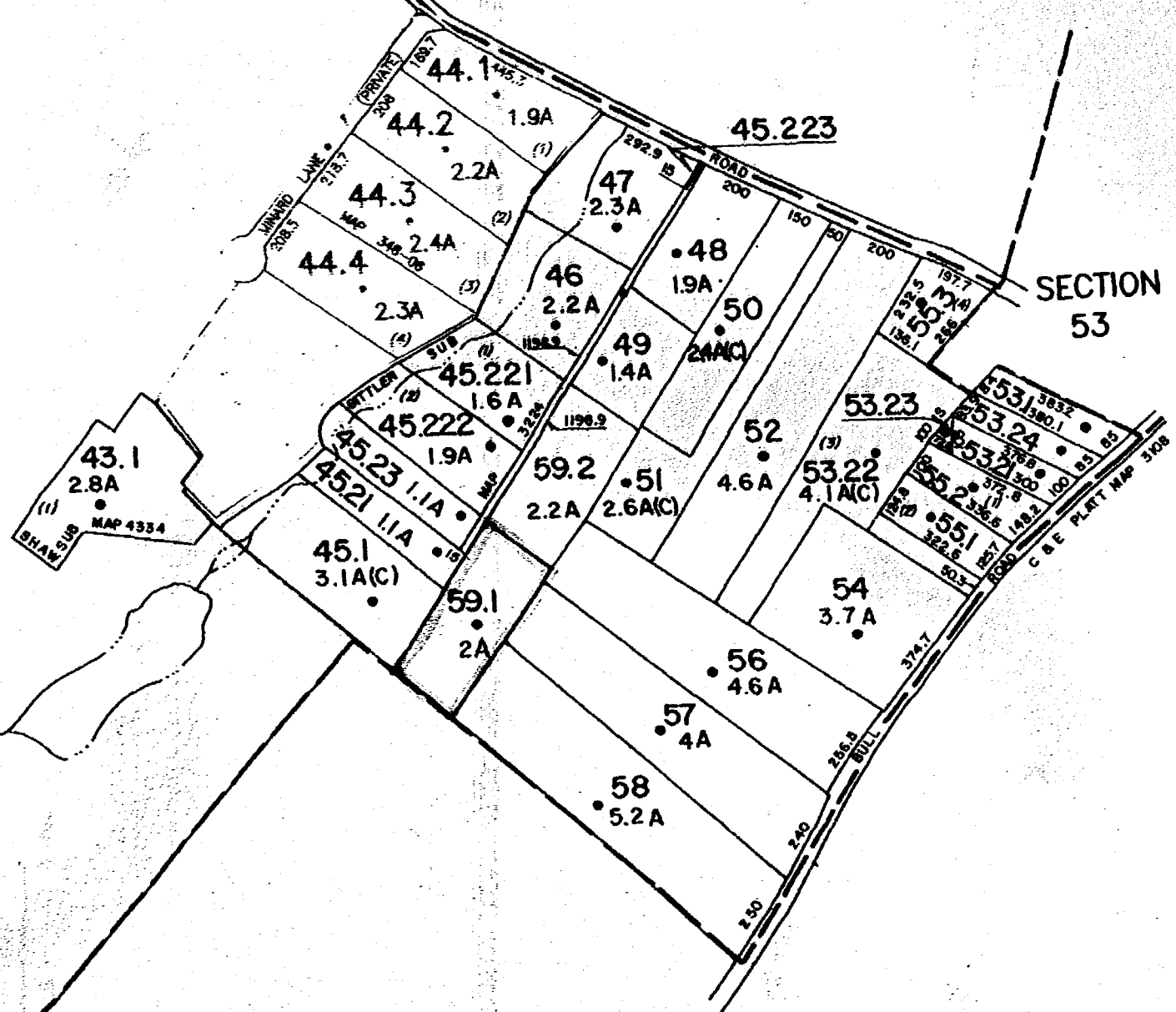
SECTION

52

**SECTION
53**



183.3A (C)





TOWN OF NEW WINDSOR

(845) 563-4615 (MYRA MASON)

ZONING BOARD APPLICATION PACKAGE



PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (COMPLETE ONLY THE PAGES WITH HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified) TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

*

ESCROW

THIS IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**


LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES IS \$1.00 EA. ADDITIONAL NAME

PAGE 1

 **COMPLETE ONLY THE PAGES WITH CHECKED BOX IN CORNER OF PAGE. PLEASE SUBMIT ONE ORIGINAL AND ONE COPY OF ALL PAPERWORK (unless otherwise specified).**

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR STAMP WITH YOU....**YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.**
3. WHEN YOU COME IN TO PICK UP YOUR LIST, **ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL.** YOU WILL BE GIVEN ENOUGH **"NOTICES OF PUBLIC HEARING"** TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
4. **BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.**

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

6-23-08

Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

e-mail address: GEORGE.HAWKINS@NOVAETS.COM
Phone Number: (845) 496-3494
Fax Number: ()

I. Owner Information:

GEORGE HAWKINS/DANE CLARK

(Name)

(MAILING) P.O. BOX 76 WASHINGTONVILLE NY 10992

(Address)

(PROPERTY) 9 FIETSMAN LANE P.O. BOX 111
ROCK TAVERN, NY, 12575

II. Applicant: GEORGE HAWKINS

(Name)

P.O. BOX 76

(Address)

WASHINGTONVILLE, NY 10992

e-mail address: GEORGE.HAWKINS@NOVAETS.COM
Phone Number: (845) 496-3494
Fax Number: ()

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()

Fax Number: ()

(Name)

N/A

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ()

Fax Number: ()

(Name)

(Address)

V. Property Information:

Zone: RESIDENTIAL Property Address in Question:

Lot Size: Tax Map Number: Section 153 Block 1 Lot 59.1

- a. Is pending sale or lease subject to ZBA approval of this Application?
- b. When was property purchased by present owner?
- c. Has property been subdivided previously? If so, When:
- d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector?

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Total Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.	15'	20'	5'
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ratio**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. **In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:

1. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; SHORT OF ADDING AN ADDITION TO OUR HOME WHICH WOULD INCLUDE REMOVING EXISTING PAVER WALLS, WALKWAY STEPS AND NEW DRIVEWAY IT IS MOST PRACTICAL TO BUILD A SEPERATE DETACHED GARAGE.
2. Whether the requested area variance is substantial; OUR LOT IS APPROX 2 ACRES OF WHICH 1/2 ACRE IS OCCUPIED BY OUR HOME. THE REMAINING PROPERT IS OPEN LAND
3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; THE GARAGE WILL BE LOCATED APPROX 80' FROM OUR HOME AND NESTLED IN ^A THE WOODED AREA. IT WILL NOT HAVE ANY ENVUOCMANTA/ EFFECT OR IMPACT TO THE NEIGHBORHOOD OR DISTRICT IT IS ALSO AT THE END OF FEITSMAN LANE WHICH IS A DEAD END ROAD.
4. Whether the alleged difficulty was self-created. THE REASONS FOR THIS VARIANCE REQUEST IS WAS NOT SELF CREATED. HOWEVER AS OUR FAMILY HAS GROWN WE SIMPLY NEED ADDITIONAL GARAGE + STORAGE SPACE

**After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

AS OUR FOUR SONS HAVE GROWN WE NEED ADDED SHELTER FOR VEHICLES. WE ALSO NEED AN AREA CLOSE TO OUR HOME TO STORE 4 TONS OF PELLETS FOR HEATING OUR HOME. THE GARAGE AREA WILL BE LANDSCAPED AND WELL MAINTAINED AS ~~THE~~ ^{IS} ALL OF OUR PROPERTY.
PLEASE NOTE: THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)

- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

23 day of June 2008

Cheryl L. Canfield

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County

#01CA6073319
Commission Expires April 22, 2010

Signature and Stamp of Notary

George C. Hawkins
Owner's Signature (Notarized)

GEORGE C. HAWKINS
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <u>GEORGE HANKINS</u>	2. PROJECT NAME <u>TWO CAR GARAGE</u>
3. PROJECT LOCATION: Municipality <u>ROCKTOWN, TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>9 FIETSMAN LANE - SHAW RD</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>INSTALLATION OF A TWO CAR GARAGE APPROX 80' FROM HOUSE. GARAGE WILL BE INCORPORATED BUILT ON OPEN LAND. THERE IS ALREADY AN EXISTING DRIVE WAY THAT WILL BE USED FOR ACCESS TO NEW GARAGE.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>LESS THAN 1/4</u> acres Ultimately <u>APPROX 1/4</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>GARAGE WILL BE CLOSER TO THE ROAD THAN THE HOUSE</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>FIETSMAN LANE IS RESIDENTIAL AND THE LAND IN QUESTION IS AT A DEAD END, HOWEVER THERE IS A COMMERCIAL APPLE ORCHARD BORDERING FIETSMAN LANE ON THE WEST AND SOUTH SIDES.</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>AND GEORGE HANKINS</u> Date: <u>6-23-08</u> Signature: <u>Gay C. Hankins</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p> <p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:</p> <p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:</p>	<p>If yes, coordinate the review process and use the FULL EAF.</p>
---	--

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Reset

